THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION No.5455 of 2007

Dated: 06.12.2007

Between:

Smt S.D.Laxmi Bai .. Petitioner.

And

The State of Andhra Pradesh rep. by its Secretary,
Education Department,
Secretariat, Hyderabad
and others. .. Respondents

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WRIT PETITION No.5455 of 2007

ORDER:

This writ petition is filed seeking a Mandamus declaring the action of the respondents in not acceding to the request of the petitioner for reckoning service rendered by her in an aided school at Hyderabad, while extending such benefit to many other teachers, and the action of the respondent in not acting upon the proposal, dated 28.09.2006, put forth by the 2nd respondent-Director of School Education, Saifabad, Hyderabad as arbitrary, illegal and violative of Articles 14 and 21 of the Constitution of India.

2. It appears, the petitioner was initially appointed as a Secondary Grade Teacher in Vivek Vardhini Excelsior High School, Hyderabad on 19.06.1973 and worked there till 17.01.1986, against a post which was admitted to grant-in-aid. Thereafter, she joined in the 5th respondent School on 18.01.1986, without any break of service. Subsequent to filing of the writ petition, the petitioner, on attaining superannuation, retired from service on 30.09.2007.

3. The grievance of the petitioner is that she was not given pay protection for the services rendered by her in Vivek Vardhini Excelsior High School, Hyderabad, wherein her post was admitted to grant-in-aid. In fact, in this regard, the petitioner made a detailed representation

on 04.09.2006 before the 2nd respondent, who in turn forwarded the same to the 1st respondent-Secretary, Education Department, Government of A.P.,Hyderabad vide his letter, dated 28.09.2006, recommending the case of the petitioner for pay protection for the services rendered by her in Vivek Vardhini Excelsior High School, Hyderabad, on par with others working in an aided vacancy, which would ultimately help the petitioner for drawing little more salary and little higher pension.

3. In view of the above, without expressing any opinion on merits, the 1st respondent is directed to consider the recommendations made by the 2nd respondent vide his letter in RC.No.1701/B1-2/1999, dated 28.09.2006, and pass appropriate orders as per the law, within a period of four weeks from the date of receipt of a copy of this order, and communicate the same to the petitioner.

4. Accordingly, writ petition is disposed of. No order as to costs.

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(C.V.RAMULU,J)

Dt.06.12.2007
v v